

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIM EDWARD ROGERS,  
Plaintiff,  
v.  
DON NOTTOLI, et al.,  
Defendant

No. 2:22-cv-01085 KJM AC

## ORDER TO SHOW CAUSE

DON NOTTOLI, et al.,

## Defendants.

16 Plaintiff, appearing in pro se, filed a complaint on June 24, 2022. ECF No. 1. On August  
17 3, 2022 plaintiff paid the filing fee and a scheduling order was issued that ordered the plaintiff to  
18 serve a copy of the scheduling order and complete service of process within 90 days of filing the  
19 complaint. ECF No. 4 at 2. Plaintiff was cautioned that failure to complete service within 90  
20 days may result in dismissal pursuant to Fed. R. Civ. P. 40(m). *Id.* That deadline has passed, and  
21 no certificate of service has been filed.

22 Local Rule 110 provides that failure to comply with court orders or the Local Rules "may  
23 be grounds for imposition of any and all sanctions authorized by statute or Rule or within the  
24 inherent power of the Court."

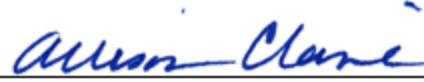
25 || Accordingly, IT IS HEREBY ORDERED that:

26 1. Plaintiff is Ordered to Show Cause, in writing no later than December 14, 2022, why this  
27 action should not be dismissed for failure to prosecute;

28 |||

- 1        2. Plaintiff's filing of a proof of service upon defendant will be deemed good cause shown;
- 2                and
- 3        3. If plaintiff fails to comply with this order, the case will be dismissed without prejudice for
- 4                failure to prosecute.

5        DATED: November 30, 2022

  
6                Allison Claire  
7                ALLISON CLAIRE  
8                UNITED STATES MAGISTRATE JUDGE

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28